IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1244 OF 2005

Karbhari @ Balwant S.Pingale &
Ors. ...Applicants.

V/s.

Hari Shankar Pingale & Ors. ...Respondents.

Ms.Tendulkar i/b Mr.M.S.Karnik for the Applicants.
Shri P.J.Thorat , advocate for the Respondent Nos.2 & 3 present.
Mr.K.S.Patil i/b P.N.Joshi for the Respondent No.4 present.

CORAM: J.H.BHATIA, J.
DATE : 4th August, 2005.

P.C.:

1. Heard the learned counsel for the Appellants and for the Respondents No.2 to 4.

2. The Appeal against the Respondent No.1 came to be dismissed for want of service as per the order dated 31.10.2002 passed in Civil Application No.552 of 2002. The present Application is filed on 06/05/2005 seeking condonation of delay in filing Civil Application and for setting aside the order dated 31.10.2002.

3. As the real contesting parties, being the Respondent Nos.2 to 4, are already served, with the consent of the learned counsel for the Respondent Nos.2 to 4, in the interest of justice to avoid further

complications, the Application is allowed in terms of prayer clause (a) and (b). The Appellants are hereby directed to take steps for service on the Respondent No.1 within six weeks and file affidavit. The Appellants to supply copy of the Appeal Memos to the Respondents.

4. Civil Application stands disposed of accordingly.

(J.H.BHATIA, J.)